

STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

3 Valuation of Security

0 Assumption of Executory Contract or Unexpired Lease

1 Lien Avoidance

Last revised: December 1, 2017

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

In Re: Krista L Williams

Case No.: 17-34842

Judge: Christine M. Gravelle

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS

☒ Original

☐ Modified/Notice Required

Date: 4/10/18

☒ Motions Included

☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney /s/ DFC

Initial Debtor: /s/ K LW

Initial Co-Debtor

Part 1: Payment and Length of Plan

- a. The debtor shall pay 50.00 Monthly to the Chapter 13 Trustee, starting on May 1, 2018 for approximately 0 months.
- b. The debtor shall make plan payments to the Trustee from the following sources:
- ☒ Future Earnings
 - ☒ Other sources of funding (describe source, amount and date when funds are available):
Future income tax refunds over and above \$2,000 - when funds become available
- c. Use of real property to satisfy plan obligations:
- ☐ Sale of real property
Description:
Proposed date for completion: _____
 - ☐ Refinance of real property:
Description:
Proposed date for completion: _____
 - ☐ Loan modification with respect to mortgage encumbering property:
Description:
Proposed date for completion: _____
- d. ☒ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.
- e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

☒ NONE

- a. Adequate protection payments will be made in the amount of \$____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).
- b. Adequate protection payments will be made in the amount of \$____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

- a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

| Creditor | Type of Priority | Amount to be Paid |
|-----------------------------|------------------|-----------------------|
| Chapter 13 Standing Trustee | Administrative | as allowed by Statute |

- b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:
- ☒ None
 - ☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

| Creditor | Type of Priority | Claim Amount | Amount to be Paid |
|----------|------------------|--------------|-------------------|
|----------|------------------|--------------|-------------------|

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

| Creditor | Collateral or Type of Debt: | Arrearage: | Interest Rate on Arrearage: | Amount to be Paid to Creditor (In Plan): | Regular Monthly Payment (Outside Plan): |
|----------|-----------------------------|------------|-----------------------------|--|---|
|----------|-----------------------------|------------|-----------------------------|--|---|

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

| Creditor | Collateral or Type of Debt | Arrearage | Interest Rate on Arrearage | Amount to be Paid to Creditor (In Plan) | Regular Monthly Payment (Outside Plan) |
|----------|----------------------------|-----------|----------------------------|---|--|
|----------|----------------------------|-----------|----------------------------|---|--|

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

| Name of Creditor | Collateral | Interest Rate | Amount of Claim | Total to be Paid through the Plan Including Interest Calculation |
|------------------|------------|---------------|-----------------|--|
|------------------|------------|---------------|-----------------|--|

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Superior Liens | Value of Creditor Interest in Collateral | Annual Interest Rate | Total Amount to Be Paid |
|--------------------------------|---|----------------|------------------------|---|--|----------------------|-------------------------|
| Bank of America (2nd Mortgage) | 921 Spray Avenue Beachwood, NJ 08722 Ocean County Block 10.20, Lot 5 | 28,905.90 | 279,900.00 | Ditech 279,564.83 ((1st Mortgage) | No value | N/A | 0.00 |

| | | | | | | | |
|--|--|--|--|--|--|--|--|
| | | | | | | | |
|--|--|--|--|--|--|--|--|

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

| Creditor | Collateral to be Surrendered | Value of Surrendered Collateral | Remaining Unsecured Debt |
|----------|------------------------------|---------------------------------|--------------------------|
|----------|------------------------------|---------------------------------|--------------------------|

f. Secured Claims Unaffected by the Plan ☒ NONE

The following secured claims are unaffected by the Plan:

Creditor

g. Secured Claims to be Paid in Full Through the Plan ☐ NONE

| Creditor | Collateral | Total Amount to be Paid through the Plan |
|--------------------------|------------|--|
| Internal Revenue Service | | 0.00 |
| State of New Jersey | | 0.00 |

Part 5: Unsecured Claims ☐ NONE

a. **Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$____ to be distributed *pro rata*
- ☐ Not less than ____ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. **Separately classified unsecured** claims shall be treated as follows:

| Creditor | Basis for Separate Classification | Treatment | Amount to be Paid |
|----------|-----------------------------------|-----------|-------------------|
|----------|-----------------------------------|-----------|-------------------|

Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

| Creditor | Arrears to be Cured in Plan | Nature of Contract or Lease | Treatment by Debtor | Post-Petition Payment |
|----------|-----------------------------|-----------------------------|---------------------|-----------------------|
|----------|-----------------------------|-----------------------------|---------------------|-----------------------|

Part 7: Motions ☐ NONE

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J.

LBR 3015-1. A Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ☒ NONE

The Debtor moves to avoid the following liens that impair exemptions:

| Creditor | Nature of Collateral | Type of Lien | Amount of Lien | Value of Collateral | Amount of Claimed Exemption | Sum of All Other Liens Against the Property | Amount of Lien to be Avoided |
|----------|----------------------|--------------|----------------|---------------------|-----------------------------|---|------------------------------|
|----------|----------------------|--------------|----------------|---------------------|-----------------------------|---|------------------------------|

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒

NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Superior Liens | Value of Creditor's Interest in Collateral | Total Amount of Lien to be Reclassified |
|--------------------------------|---|----------------|------------------------|---|--|---|
| Bank of America (2nd Mortgage) | 921 Spray Avenue Beachwood, NJ 08722 Ocean County Block 10.20, Lot 5 | 28,905.90 | 279,900.00 | Ditech - \$279,564.83 (1st Mortgage) | 0 | 28,905.90 |
| | | | | | | |
| | | | | | | |

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Amount to be Deemed Secured | Amount to be Reclassified as Unsecured |
|----------|------------|----------------|------------------------|-----------------------------|--|
| | | | | | |
| | | | | | |

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Mortgage Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ **NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.
Date of Plan being modified: _____.

| | |
|--|--|
| Explain below why the plan is being modified: | Explain below how the plan is being modified: |
| | |

Are Schedules I and J being filed simultaneously with this Modified Plan? ☐ Yes ☒ No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

| | |
|----------------------------|--|
| Date <u>April 10, 2018</u> | <u>/s/ Donald F. Campbell, Jr.</u> Donald F. Campbell, Jr. Attorney for the Debtor |
|----------------------------|--|

| | |
|-----------------------------|---|
| Date: <u>April 10, 2018</u> | <u>/s/ Krista L Williams</u> Krista L Williams Debtor |
|-----------------------------|---|

| | |
|-------------|-----------------------|
| Date: _____ | _____ Joint Debtor |
|-------------|-----------------------|

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date April 10, 2018 /s/ Donald F. Campbell, Jr.
Donald F. Campbell, Jr.
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: April 10, 2018 /s/ Krista L Williams
Krista L Williams
Debtor
Date: _____
Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Krista L Williams
 Debtor

Case No. 17-34842-CMG
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 46

Date Rcvd: Apr 12, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 14, 2018.

db
 517222085 +Krista L Williams, 921 Spray Avenue, Beachwood, NJ 08722-4521
 517222086 +American Express, PO Box 1270, Newark, NJ 07101-1270
 517222086 +American Express Legal, 500 North Franklin Turnpike, PO Box 278, Ramsey, NJ 07446-0278
 517222089 +BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238
 (address filed with court: Bank of America, P.O. Box 982238, El Paso, TX 79998)
 517449699 +Bank of America, Credit Control, LLC, POB 546, Hazelwood, MO 63042-0546
 517222088 Bank of America, PO Box 660402, Dallas, TX 75266-0402
 517222092 +CBNA, PO Box 9001010, Louisville, KY 40290-1010
 517222091 +Capital One Bank USA, PO Box 30253, Salt Lake City, UT 84130-0253
 517222094 +Comenity Bank-Victoria Secret, PO Box 182789, Columbus, OH 43218-2789
 517222095 +Comenity-Capital Bank, Bankruptcy Department, PO Box 183043, Columbus, OH 43218-3043
 517222096 Comenity-Good Sam/Camping World, PO Box 659820, San Antonio, TX 78265-9120
 517222099 +Credit Control, LLC, PO Box 248, Hazelwood, MO 63042-0248
 517222098 Credit Control, LLC, PO Box 546, Hazelwood, MO 63042-0546
 517222101 +Ditech, PO Box 7169, Pasadena, CA 91109-7169
 517222104 +EZ Pass DE, 22-24 West Loockerman Street, Dover, DE 19904-7324
 517222105 +EZ Pass NJ, P.O. Box 4973, Trenton, NJ 08650-4973
 517222106 EZ Pass PA, PO Box 67676, Harrisburg, PA 17106-7676
 517222107 +Firstsource Advantage, LLC, 205 Bryant Woods South, PO Box 628, Buffalo, NY 14228-3609
 517222108 +Home Depot Consumer Credit Card, c/o Citi, PO Box 790345, Saint Louis, MO 63179-0345
 517222110 Laboratory Corporation of America, PO Box 2240, Burlington, NC 27216-2240
 517222112 Northstar Location Services, LLC, 4285 Genesee St, Attn: Financial Services Dept.,
 Cheektowaga, NY 14225-1943
 517222113 Ocwen Loan Servicing, LLC, P.O. Box 24781, Attn: Bankruptcy Dept.,
 West Palm Beach, FL 33416-4781
 517222114 +Orthopaedic Institute of NJ, 226 Route 37 West, Toms River, NJ 08755-8047
 517222116 +Robert L. Baroska III, Hayt Hayt & Landau LLC, 2 Industrial Way West, PO Box 500,
 Eatontown, NJ 07724-0500
 517279730 +STATE OF NEW JERSEY, DIVISION OF TAXATION BANKRUPTCY UNIT, PO BOX 245,
 TRENTON NJ 08646-0245
 (address filed with court: State of NJ, POB 245, Trenton, NJ 08695-0245)
 517222117 +Superior Court of NJ, Special Civil Part, c/o Glenn Mass, Court Officer, PO B ox 312,
 Toms River, NJ 08754-0364
 517222119 TD Bank/Target Card Services, PO Box 660170, Dallas, TX 75266-0170
 517222120 +United Collection Bureau, Inc., PO Box 1116, Maumee, OH 43537-8116
 517222121 +Urology Associates of Ocean County PA, 9 Hospital Dr, Toms River, NJ 08755-6425

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

smg E-mail/Text: usan.j.njbankr@usdoj.gov Apr 12 2018 23:40:32 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
 smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Apr 12 2018 23:40:29 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 517222087 E-mail/Text: ebnbankruptcy@ahm.honda.com Apr 12 2018 23:40:40
 American Honda Finance Corporation, 20800 Madrona Ave, Torrance, CA 90503
 517222084 +E-mail/Text: ally@ebn.phinsolutions.com Apr 12 2018 23:39:52 Ally Financial, P.O. Box 951,
 Horsham, PA 19044-0951
 517222093 +E-mail/Text: jsanders@cksfin.com Apr 12 2018 23:40:25 CKS Financial, P.O. BOX 2856,
 Chesapeake, VA 23327-2856
 517222090 +E-mail/Text: WFB.Bankruptcy@cabelas.com Apr 12 2018 23:41:31 Cabelas, 1 Cabela Dr.,
 Sidney, NE 69160-0001
 517222097 +E-mail/Text: ebn@barnabashealth.org Apr 12 2018 23:40:57 Community Medical Center,
 99 Highway 37 West, Toms River, NJ 08755-6423
 517222100 E-mail/Text: mrdiscen@discover.com Apr 12 2018 23:39:53 Discover Bank,
 c/o Discover Products Inc., 6500 New Albany Road, New Albany, OH 43054
 517222103 E-mail/Text: bankruptcy.bnc@ditech.com Apr 12 2018 23:40:16 Ditech Financial LLC,
 PO Box 6172, Rapid City, SD 57709-6172
 517222102 E-mail/Text: bankruptcy.bnc@ditech.com Apr 12 2018 23:40:16 Ditech Financial LLC,
 PO Box 6154, Attn: Bankruptcy Notices, Rapid City, SD 57709-6154
 517279729 +E-mail/Text: cio.bncmail@irs.gov Apr 12 2018 23:40:10 IRS, 2970 Market St.,
 Mail Stop 50Q30-133, Philadelphia, PA 19104-5002
 517222109 +E-mail/Text: bknotificationdistribution@jhcapiatgroup.com Apr 12 2018 23:41:47
 JH Portfolio Debt Equities, 5757 Phantom Drive, Suite 225, Hazelwood, MO 63042-2429
 517222111 E-mail/Text: camanagement@mtb.com Apr 12 2018 23:40:18 M&T Bank, PO Box 62085,
 Baltimore, MD 21264
 517222115 E-mail/Text: bankruptcynotices@psecu.com Apr 12 2018 23:41:11
 Pennsylvania State Employees Credit Unio, PO Box 67013, Harrisburg, PA 17106-7013
 517222118 +E-mail/PDF: gecsedirecoverycorp.com Apr 12 2018 23:42:50 SYNCB/Lowe's Credit Card,
 PO Box 530914, Atlanta, GA 30353-0914
 517222122 E-mail/PDF: gecsedirecoverycorp.com Apr 12 2018 23:42:15 Walmart/Synchrony Bank,
 PO Box 530927, Atlanta, GA 30353-0927
 517222123 +E-mail/Text: bnc-bluestem@quantum3group.com Apr 12 2018 23:41:10 WebBank/DFS,
 215 South State Street, Suite 1000, Dell Preferred Account, Salt Lake City, UT 84111-2336

TOTAL: 17

District/off: 0312-3

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 46

Date Rcvd: Apr 12, 2018

***** BYPASSED RECIPIENTS (continued) *****

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

517449698* +Ditech, POB 7169, Pasadena, CA 91109-7169
517449696* Ditech Financial LLC, PO Box 6172, Rapid City, SD 57709-6172
517449697* Ditech Financial LLC, PO Box 6154, Attn: Bankruptcy Notices, Rapid City, SD 57709-6154
517449695* Ocwen Loan Servicing, LLC, P.O. Box 24781, Attn: Bankruptcy Dept.,
West Palm Beach, FL 33416-4781

TOTALS: 0, * 4, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 14, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 11, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Donald F. Campbell, Jr. on behalf of Debtor Krista L Williams dcampbell@ghclaw.com,
r59170@notify.bestcase.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 3